



San Diego City Attorney MICHAEL J. AGUIRRE

NEWS RELEASE

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CITY ATTORNEY TO PETITION FOR REVIEW OF PENSION CASE BY STATE SUPREME COURT

San Diego, CA-- San Diego City Attorney Mike Aguirre will petition the State Supreme Court for a review of the City's pension case in response to the California Appellate Courts' dismissal of the City's request for a writ to overturn a lower court decision refusing to invalidate certain employee pension benefits.

In January, Superior Court Judge Jeffrey B. Barton ruled that the majority of pension benefits granted to City employees in 1996 and 2002 cannot be reversed because of subsequent legal settlement (Corbett and Gleason) agreements entered into by the City.

The City's writ challenged the lower court's ruling. The writ alleged that violations of California's Section 1090 conflict-of-interest laws occurred in 1996 and 2002 when Pension Board members voted to allow the City to under fund the pension system in exchange for personal pension benefit enhancements.

The writ also alleged that the lower court disregarded California's debt limit laws which provide that no city "shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year" without a two-thirds vote of the electorate.

"It's important for San Diegans to understand that our system of government cannot survive if City officials do not comply with the law and if the Courts fail to enforce the law," said City Attorney Aguirre. "If we are not successful in shedding the costly illegal pension benefits, taxpayers will be forced to bear the brunt of reduced library hours, closed recreational facilities, delayed street and infrastructure repairs, and City property being sold to the highest bidder."

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